UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 December 2007_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,6-8,24 and 29-35_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1, 6-8, 24, 29-35_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20080328

DETAILED ACTION

Applicant's amendment filed 12/28/07 has been entered and carefully

considered. Claims 1 and 24 have been amended. Claims 32-35 have been

added. However, limitations of the amended claims and new claims have not

been found to be patentable over prior art of record. Therefore, these claims are

rejected under the same ground of rejection as set forth in the Office Action

mailed 10/03/07.

Claim Objections

Claims 1, 6-8 is objected because the term of "computer system" is not defined in

the specification.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of
matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the
conditions and requirements of this title.

Claims 1, 6-8 lack the necessary physical articles or objects to constitute a

machine or a manufacture within the meaning of 101. They are clearly not a

series of steps or acts to be a process nor are they a combination of chemical

compounds to be a composition of matter. As such, they fail to fall within a

statutory category. They are, at best, functional descriptive material per se.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 1 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The feature of "digital application" is not defined in the specification.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 6-8, 24 and 29-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koppolu (US. 5,706,458).

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the

inventor and invention dates of each claim that was not commonly owned at the

time a later invention was made in order for the examiner to consider the

applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior

art under 35 U.S.C. 103(a).

As to claims 1 and 24, Koppolu discloses teaches a computer implemented

method and corresponding apparatus for a unified user interface for an

application comprising the steps/means for one or more component tables

(commands that map to keystrokes, figure 1 , 112, underlined W of WordPerfect

Help, underlined T of Technical Microsoft Word), each component table

corresponding to a component of the digital application (the commands under

Help menu correspond to components of the application), each component

table including at least one command for the corresponding component (at least

one command "Technical Support" is included in "Help" component table), and

each component table including a description for adding the command to the

user interface (figure 22, column 14, line 4 through column 16, line 10);

each command having an associated priority (column 14, line 65 through

column 15, line 5, each command has its priority based on the Count Array at

figure 10);

a master table merged from the one or more component tables, said master

table including available commands and available command vectors for the

application (the commands under Help menu correspond to components of the

application), each command and command vector having a unique object

identifier and a visibility flag specifying, whether the command or command

vector is to be displayed within the interface to a user of the interface

(Koppolu's system shows the selected commands (under File menu) are

displayed in black color, while other commands are displayed in gray color.

Even though the commands are enable (or disable) for the user's selection (or

not), the flags visibility still specifies the commands (and the command vectors)

to be displayed within the interface to a user of the interface by in gray or black

colors);

and said master table comprising commands that map to keystrokes (figure 11,

each menu table (1104, 1106) comprises a list of commands that map to

keystrokes. Therefore, the merged menu list comprises a merged "commands

that map to key strokes" list as well as the master table); wherein additional

components can be subsequently added to a corresponding component table

by a user (column 5, lines 25-65, "The CR protocol allows both the server menu

and its corresponding container menu to be available to a user when the

containee object is activated…In particular, first the server application program

requests the container application programs to add container menus to the

merged menu list…")

Koppolu fails to clearly teach each command and command vector having a

unique object identifier. However, it was well known in the computer art that

Koppolu suggest the feature because each command "Technical Support" of

the Word Processor and Graphic programs has a unique object identifier in
order to get the desired "Technical Support" command when the user requests.
Koppolu fails to clearly teach each command and command vector having a
flag specifying visibility. However, it was well known in the computer art that
Koppolu suggests the feature. In the Koppolu's system, the selected commands
(under File menu) are displayed in black color, while other commands are
displayed in gray color. The flags specify visibility or invisibility of their
commands.

It would have been obvious to one of ordinary skill in the art, at the time the
invention was made, to combine the well known implementation that each
command having a flag specifying visibility with the teachings of Koppolu.
Motivation of the combination would have been to identify user available
property selected.

As to claims 6 and 29, Koppolu also discloses an additional component table
and wherein the master table is merged from the at least one component table
and the additional component table (the master table merges container menus
with sever menus, column 5, lines 1-24, figure 11 , each menu table (1104,
1106) comprises a list of commands that map to keystrokes. Therefore, the
merged menu list comprises a merged "commands that map to key strokes" list
as well as the master table).

As to claims 7 and 30, Koppolu teaches a removed component table of the at
least one component table corresponding to a removed component and

wherein the master table is merged from the remaining component tables of the

at least one component table. It was inherent that the master table merges only

"commands that map to the keystrokes" tables when server menu table of

"commands that map to the keystrokes" is removed from a list.

As to claims 8 and 31, Koppolu also teaches the master table including

available commands ("Quick Preview", "WordPerfect Help", "Technical Support"

and "About Microsoft Word"), menus and toolbars and the location of each

available command (figure 1).

As to claims 32-35, it was well known in the art Koppolu teaches the additional

components being subsequently added after purchase by the user and after

development because it enhances the system functionality. The user could be

able to add a menu icon when he/she downloads any particular software to a

computer system.

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Response to Arguments

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Applicant has argued that Koppolu fails to teach that additional components can

be subsequently added to a corresponding component table by a user.

However, the examiner respectfully disagrees because Koppolu, at column 5,

lines 25-65. Applicant's attention is directed to the cited passage "The CR

protocol allows both the server menu and its corresponding container menu to

be available to a user when the containee object is activated…In particular, first

the server application program requests the container application programs to

add container menus to the merged menu list...". It is clearly that the server

menu and the container menu are available to a user to add, merge together.

Besides, it was well known in the art Koppolu teaches the additional

components being subsequently added after purchase by the user and after

development because it enhances the system functionality. The user could be

able to add a menu icon when he/she downloads any particular software to a

computer system.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then

the shortened statutory period will expire on the date the advisory action is mailed,

and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the

mailing date of the advisory action. In no event, however, will the statutory period

for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Mylinh Tran. The examiner can

normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141 .

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or

proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

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direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

Mylinh Tran

Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179